

Assembly Bill No. 2327

CHAPTER 361

An act to amend Section 8596 of the Government Code, relating to emergency services.

[Approved by Governor September 27, 2008. Filed with
Secretary of State September 27, 2008.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2327, Caballero. Emergency services: humanitarian and relief services.

Existing law, the California Emergency Services Act, creates the Office of Emergency Services in the office of the Governor. Under the act, the Director of Emergency Services is required to coordinate the emergency services of all state agencies in connection with emergencies, and the office is required to establish a standardized emergency management system for use by all emergency response agencies. Existing law requires state entities and employees to render all possible assistance to the director and cooperate with each other and other specified relief agencies.

This bill would require all entities providing disaster-related services and assistance to strive to ensure that victims receive the assistance they need and are eligible to receive, and would require public employees to provide assistance without eliciting information or documents that are not strictly necessary to determine eligibility under state or federal law.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) Individuals fleeing a disaster or coping with emergency circumstances commonly lose access to their personal documents and identification, and replacing them during a disaster or emergency can be burdensome, if not impossible, especially for vulnerable populations, such as low-income individuals, seniors, or persons with disabilities.

(b) During a disaster, it is critical that all evacuees and other victims have access to timely and effective assistance to alleviate their suffering and meet their basic needs.

SEC. 2. Section 8596 of the Government Code is amended to read:

8596. (a) Each department, division, bureau, board, commission, officer, and employee of this state shall render all possible assistance to the Governor and to the Director of the Office of Emergency Services in carrying out the provisions of this chapter.

(b) In providing such assistance, state agencies shall cooperate to the fullest possible extent with each other and with political subdivisions, relief

agencies, and the American National Red Cross, but nothing contained in this chapter shall be construed to limit or in any way affect the responsibilities of the American National Red Cross under the federal act approved January 5, 1905 (33 Stat. 599), as amended.

(c) Entities providing disaster-related services and assistance shall strive to ensure that all victims receive the assistance that they need and for which they are eligible. Public employees shall assist evacuees and other individuals in securing disaster-related assistance and services without eliciting any information or document that is not strictly necessary to determine eligibility under state and federal laws. Nothing in this subdivision shall prevent public employees from taking reasonable steps to protect the health or safety of evacuees and other individuals during an emergency.

(d) State personnel, equipment, and facilities may be used to clear and dispose of debris on private property only after the Governor finds: (1) that such use is for a state purpose; (2) that such use is in the public interest, serving the general welfare of the state; and (3) that such personnel, equipment, and facilities are already in the emergency area.